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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,139	07/30/2004	Paul Derek Miles	120401	6050
25944	7590	04/20/2005		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER TRAIL, ALLYSON NEEL	
			ART UNIT 2876	PAPER NUMBER

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/501,139

Applicant(s)

MILES ET AL.

Examiner

Allyson N. Trail

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/13/2004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-15, 17-19, 21, and 23-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Birnie (2002/0074394).

Birnie teaches the following in regards to claims 1, 17, and 25:

Figure 2 shows an ATM 110. The ATM is on wheels, which makes the security of the housing low, for it could be easily stolen. Figure 2 further shows a dispenser slot 131 for transporting banknotes in one direction between the document store 130 and the slot 131.

"The terminal may include a valuable media protection system, such as a system for spraying ink dye in the event of tampering with the terminal." (Paragraph 0013).

"The enclosure 12 incorporates a simple dispenser 30 for dispensing one denomination of banknotes through a dispense slot 31 defined by the enclosure 12.

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The dispenser 30 includes a controller 32 for controlling the operation of the ATM 10, and an ink dye cartridge 33 for rupturing and staining any banknotes located within the dispenser 30 in the event of the buckle 20 being forced open.” (Paragraph 0028).

Birnie teaches the following in regards to claims 2, 3, 21, 28, and 30:

As can be seen in figure 1, the banknotes are stacked on the dispenser (tray) 30 and the ink dye 33 is located just above the tray.

Birnie teaches the following in regards to claims 4-6, 8, 9, 12, 18, and 24:

As discussed above, “the dispenser 30 includes a controller 32 for controlling the operation of the ATM 10, and an ink dye cartridge 33 for rupturing and staining any banknotes located within the dispenser 30 in the event of the buckle 20 being forced open.” (Paragraph 0028). The buckle being broken acts as a sensor and the breakage or movement of the buckle activates the degradation system. Additionally in regards to claim 9, if the ATM is stolen, the radio frequency or electric field is absent.

Birnie teaches the following in regards to claims 7 and 9:

Figure 2 shows the ATM including a radio frequency transceiver 142. Because the ATM has the ability to communicate with a remote control, it is clear that the ink dye could be triggered as well via the remote controller.

Birnie teaches the following in regards to claim 10:

Figure 2 shows the ATM including a battery 144 for self-powering.

Birnie teaches the following in regards to claim 11:

“The text display, transceiver, swipe card reader, and printer may be incorporated into a single transaction unit that transmits data to a remote server, where

the server communicates with a transaction host for authorizing a requested transaction." (Paragraph 0016).

Birnie teaches the following in regards to claim 13:

Figure 2 shows the ATM including a document dispenser 131.

Birnie teaches the following in regards to claim 14:

Figure 2 shows the ATM including wheels 160 and 162.

Birnie teaches the following in regards to claims 15, 19, and 23:

As discussed above, the ATM is on wheel, which makes the ATM easily movable therefore easy to steal. For this fact, the ATM, including the housing (cabinet) is non-secure. In the same respect the store is also non-secure.

Birnie teaches the following in regards to claims 26, 27, and 29:

The ATM disclosed by Birnie is not wheels and therefore is able to be located in any location, i.e. on the beach or adjacent a retail outlet.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Birnie (2002/0074394) in view of Do et al (6,502,749).

Birnie's teachings are discussed above. Birnie fails to specifically teach the cabinet being made of sheet metal.

Do et al teaches the following in regards to claims 16 and 20:

The cover door 24 of the ATM 2 is made of sheet metal. (Col. 7, lines 39-42).

In view of Do et al's teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to use sheet metal as taught by Do et al for the material for the cabinet of the ATM taught by Birnie. Birnie's method of dispensing ink dye on the banknotes if the ATM is being tampered with alleviates the need for strong and highly secure material. One would be motivated to use sheet metal because it is easily obtainable and relatively inexpensive.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Birnie (2002/0074394) in view of Kato (2002/0092727).

Birnie's teachings are discussed above. Birnie fails to specifically teach receiving documents rejected as non-dispensable by the document dispenser.

Kato teaches the following in regards to claim 22:

"A bill receiving/dispensing machine installed in an automatic teller machine used in, for example, a financial institution generally includes a receiving/dispensing port for inserting a bill by a user, for sending out the inserted bill and for ejecting a bill to a user, a bill identifying portion for identifying a bill, and a bill conveying passage passing through the bill identifying portion for conveying a bill. The machine also includes a temporary storing room for temporarily storing the inserted bill, and a recycle room for storing and sending out a bill both for receiving and payment. Further, the machine includes a reject room for storing a rejected bill which did not satisfy a predetermined criteria in the bill identifying portion, a supplying/collecting room for sending out a bill to

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the recycle room so as to fill up there and for storing a bill collected from the recycle room, and the like.” (Paragraph 0022).

In view of Kato’s teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to include in Birmie’s ATM the store being adapted to receive documents rejected as non-dispensable by the dispenser as taught by Kato. One would be motivated to include the option of receiving documents for the convenience of the user by allowing the user to make deposits into their account. Additionally, one would be motivated to rejected certain documents as non-dispensable in order to avoid accepting documents other than checks, cash, or banknotes.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Brown et al (2003/0141372), Jantsch (2004/0099725), and Haycock (6,065,672).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Allyson N. Trail* whose telephone number is (571) 272-2406. The examiner can normally be reached between the hours of 7:30AM to 4:00PM Monday thru Friday.

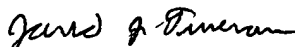
If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Michael G. Lee, can be reached on (571) 272-2398. The fax phone number for this Group is (703) 872-9306.

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Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [allyson.trail@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Allyson N. Trail
Patent Examiner
Art Unit 2876
April 14, 2005


JARED J. FURMAN
PRIMARY EXAMINER